

CLINTON COUNTY BOARD
November 20, 2006

The November meeting of the Clinton County Board was called to order by Sheriff Mike Kreke on Monday, November 20, 2006, at 7:00 p.m.

Roll call: Present - Beckmann, Fix, Foppe, Heiligenstein, Hitpas, Holtgrave, Kloeckner, Lampe, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor and Jack Taylor. Absent - Murray

The Pledge of Allegiance was recited. All visitors and guests introduced themselves.

MOTION by Lampe second by C. Taylor to approve minutes of the October board meeting.
MOTION CARRIED.

MOTION by Holtgrave second by Lampe to appoint Edwin Luebbers to the Zoning Board of Appeals. **MOTION CARRIED**

MOTION by J. Taylor second by Fix to approve ordinance # 11-06-02 Authorization for Funds to be Deposited within Clinton County State's Attorney Drug Asset Forfeiture Fund. Roll Call Vote. Yes - Hitpas, Robbins, Heiligenstein, Pingsterhaus, J. Taylor, Raymond, Fix, Holtgrave, Foppe, Sullivan, C. Taylor, Beckmann, Lampe. Absent - Murray **MOTION CARRIED.**

MOTION by Lampe second by C. Taylor to approve resolution # 11-06-03 to support the continued operation of the Office of the State's Attorneys Appellate Prosecutor, and designates the Office of the State's Attorneys Appellate Prosecutor as its Agent to administer the operation of the appellate offices and process said appellate court cases for this County. Roll call vote. Yes - Hitpas, Robbins, Heiligenstein, Pingsterhaus, J. Taylor, Raymond, Fix, Holtgrave, Foppe, Sullivan, C. Taylor, Beckmann, Lampe. Absent - Murray **MOTION CARRIED.**

MOTION by J. Taylor second by Raymond to approve ordinance # 11-06-04 Amending Section 1-8-5 of the Administration-Bidding and Contract Procedures of the Clinton County Code. Roll Call Vote. Yes - Hitpas, Robbins, Heiligenstein, Pingsterhaus, J. Taylor, Raymond, Fix, Holtgrave, Foppe, Sullivan, C. Taylor, Beckmann, Lampe. Absent - Murray. **MOTION CARRIED.**

The following committees had no reports: Unincorporated Area Improvement, RC&D Council, Tourism, 9-1-1, Veteran's Memorial, Law Enforcement/ESDA, General Services/Judiciary.

COUNTY FARM COMMITTEE - The committee met and found all the bills to be in order. It was announced that the committee is seeking part-time weekend help for the animal control office.

INSURANCE TRUST COMMITTEE - Foppe reported on the financial status of The Illinois County Insurance Trust. They are currently taking steps to improve the financial situation.

Seminars will be given at all nine counties for the Family Medical Act.

INSURANCE COMMITTEE - It was reported at the recent semi-annual meeting that the group sustained some larger medical claims in August, September and October, however the County saved \$75,586.27 versus the amount it would have cost with our previous carrier. It was announced that the prescription reimbursement will end December 1.

SAFETY COMMITTEE - All departments will be asked to watch a video on sexual harassment. It was suggested that employees would be asked to sign a check list indicating they viewed the video. A two month viewing period was suggested. Pingsterhaus stated he was disappointed with the turn out at the recent safety meeting.

EDUCATION COMMITTEE - On November 2 the committee met with the regional superintendent and the assistant. Heiligenstein reported on the highlights of that meeting.

708 MENTAL HEALTH BOARD/SWIAAA COMMITTEE - Foppe reported that these committees are basically inactive committees which meet only three times a year. Since he is retiring, he volunteered to serve on these committees as a non-board member.

GIS COMMITTEE - MOTION by Beckmann second by C. Taylor, to debit \$5,900 from account 067-00-494 (Office/Field Supplies) and credit \$5,900 to account 067-00-400-09 (GIS Salary). **MOTION CARRIED.**

SOLID WASTE - A meeting is scheduled for November 27.

PERSONNEL/LABOR COMMITTEE - MOTION by Hitpas second by Sullivan to approve hiring a full-time deputy by Sheriff Kreke. **MOTION CARRIED.** **MOTION** by Hitpas second by J. Taylor to increase the Assistant State's Attorney's salary by \$2,500. Roll call vote. Yes - Hitpas, Robbins, Heiligenstein, Pingsterhaus, J. Taylor, Raymond, Fix, Foppe, Sullivan, C. Taylor, Beckmann, Lampe. No - Holtgrave. Absent - Murray. **MOTION CARRIED**

ZONING/SUBDIVISION COMMITTEE - MOTION by C. Taylor second by Beckmann to approve ordinance # 11-06-05 for map amendment to re-zone from Agriculture (A) to Commercial (C) the Anthony Emig property. Part of the Northwest Quarter of the Southwest Quarter of Section 15, Township 2 North, Range 5 West of the Third Principal Meridian. Roll Call vote. Yes - Hitpas, Robbins, Heiligenstein, Pingsterhaus, J. Taylor, Raymond, Fix, Holtgrave, Foppe, Sullivan, C. Taylor, Beckman Lampe. Absent - Murray. **MOTION CARRIED.**

MOTION by Beckmann second by Sullivan to approve Ordinance # 11-06-06 for map amendment to re-zone from Agriculture (A) to Agricultural Residential (A-R) the property owned by Virgil and Delores Toennies. Part of the Southeast Quarter of the Southeast Quarter of Section 15, Township 1 North, Range 5 West of the Third Principal Meridian. Request

submitted by Ken and Jan Mank. Roll Call vote. Yes - Hitpas, Robbins, Heiligenstein, Pingsterhaus, J. Taylor, Raymond, Fix, Holtgrave, Foppe, Sullivan, C. Taylor, Beckmann, Lampe. Absent - Murray. **MOTION CARRIED.**

ECONOMIC DEVELOPMENT/SCIGA/SWIIDA COMMITTEE - Sullivan reported the meeting with IDOT concerning the Route 50 by-pass will not be held until the end of January or the first part of February.

ROAD & BRIDGE COMMITTEE - MOTION by J. Taylor second by Hitpas to approve a resolution to appropriate \$700,000 of Motor Fuel Tax funds for maintenance for 2007. **MOTION CARRIED.**

MOTION by Holtgrave second by J. Taylor to approve resolution to take the salary of the County Engineer from Motor Fuel Tax for 2006. **MOTION CARRIED.**

County Engineer Behrens reported that the Crooked Creek Bridge/Hoffman Road Project should be completed this week..

FINANCE/HEALTH SERVICES/REVOLVING LOAN FUND - J. Taylor passed out a detailed monthly report from the Health Department

MOTION by Robbins second by Hitpas to approve the Treasurer's Monthly Budget and Financial Report. **MOTION CARRIED.**

The Treasurer reported that an oil check in the amount of \$33,772.84 was received The annual tax sale will be held on December 18th.

Fred Becker with Glass and Shuffet presented the 2007 budget for the County. A copy will be available in the County Clerk's and Treasurer's offices. A summary was passed out to all board members for review. A Senior Services line item has been added due to the recent approval by voters for this tax.

GENERAL SERVICES/JUDICIARY COMMITTEE - The committee met for opening of bids for the remodeling at the Annex (Wiegman Building). The low bid was Rehkemper Construction Company with a bid of \$39,3801. **MOTION** by C. Taylor second by Heiligenstein to approve the bid. **MOTION CARRIED.** They have 120 days to complete the project.

LIQUOR COMMITTEE - Holtgrave reported the annual dinner was held.

MOTION by Holtgrave second by Hitpas to approve payment of the Accounts Payable Claims. **MOTION CARRIED.**

MOTION by J. Taylor second by Holtgrave to recess the meeting. **MOTION CARRIED.**

Ray Kloeckner
Board Chairman

Thomas LaCaze, County Clerk & Recorder

11-06-01

A RESOLUTION RECOGNIZING MRS. ADDIE LINE SHELTON ON THE JOYOUS OCCASION OF HER 90TH BIRTHDAY

WHEREAS, Addie Line Shelton celebrated her 90th birthday surrounded by numerous friends and family on November 18, 2006; and

WHEREAS, this truly noteworthy milestone in her life, and her lifelong commitment to her family and community makes it not the least surprising that on such a memorable occasion, she would find herself in the company of so many people who hold her dear; and

WHEREAS, since this is her 90th birthday, Mrs. Addie Line Shelton has been privileged to witness events most of us can only read about in history books; and

WHEREAS, this remarkable lady maintains a wonderful attitude and outlook and her faith, perseverance, and cheerful spirit are an inspiration to all who know her; and

WHEREAS, it is fitting and proper that Clinton County recognize Mrs. Addie Line Shelton on her 90th birthday and extend to her sincere best wishes for continued health and happiness.

WHEREAS, this remarkable lady maintains a wonderful attitude and outlook and her faith, perseverance, and cheerful spirit are an inspiration to all who know her; and

WHEREAS, it is fitting and proper that Clinton County recognize Mrs. Addie Line Shelton on her 90th birthday and extend to her sincere best wishes for continued health and happiness.

WHEREFORE BE IT RESOLVED that the Clinton County Board does hereby recognize Mrs. Addie Line Shelton on the joyous occasion of her 90th birthday, and

That the Clinton County Board does hereby extend its best wishes to Mrs. Addie Line Shelton for many more years of continues health and happiness.

Approved this 20th day of November, 2006, by the Corporate Authority of the County of Clinton, Illinois.

S/ Ray Kloeckner, Chairman

Attest:

S/ Thomas LaCaze, County Clerk

ORDINANCE# 11-06-02**AUTHORIZATION FOR FUNDS TO BE DEPOSITED WITHIN CLINTON COUNTY STATE'S ATTORNEY DRUG ASSET FORFEITURE FUND**

WHEREAS, the Legislature of the State of Illinois has declared that the civil forfeiture of property which is used or intended to be used in, is attributable to or facilitates the manufacture, sale, transportation, distribution, possession or use of substances in certain violations of the Controlled Substances Act, the Cannabis Control Act, and the Methamphetamine Control and Community Protection Act will have a beneficial effect in deterring the rising incidence of the abuse and trafficking of such substances within this statement;

WHEREAS, the Clinton County Board finds that the Clinton County State's Attorney's Office would benefit from the use of civil forfeitures as described in, 720 ILCS 550/12, 720 ILCS 5050, 720, ILCS 646/85 and 725 ILCS 150 et. Seq. for the purpose of deterring the incidence of the abuse and trafficking of Controlled Substances, Cannabis and Methamphetamine;

WHEREFORE, be it resolved that Clinton County authorizes the creation of the Clinton County State's Attorney Drug Asset Forfeiture Fund, (hereinafter, Fund);

WHEREFORE, be it further resolved that said Fund shall be held by the Clinton County Treasurer;

WHEREFORE, be it further resolved that the proceeds of civil drug forfeitures or other collections by the Circuit Court of Clinton County shall deposited into said Fund; and

WHEREFORE, be it further resolved that said Fund shall be used at the sole discretion of the Clinton County State's Attorney for the purpose of deterring the incidence of the abuse and trafficking of the Controlled Substances, Cannabis, and Methamphetamine;

ADOPTED, ORDAINED AND APPROVED November 20, 2006, by a voice/roll call vote of the Corporate Authorities of the County of Clinton, Illinois.

S/ Ray Kloeckner, Chairman

Attest: S/Thomas LaCaze, County Clerk

RESOLUTION #11-06-03

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor was created to provide services to State's Attorneys in Judicial Districts containing less than 3,000,000 inhabitants; and,

WHEREAS, the powers and duties of the Office of the State's Attorneys Appellate Prosecutor are defined and enumerated in the "State's Attorneys Appellate Prosecutor's Act", 725 ILCS 210/1 et. seq., as amended; and,

WHEREAS, The Illinois General Assembly appropriates monies for the ordinary and contingent expenses of the Office of the State's Attorneys Appellate Prosecutor, one-third from the State's Attorneys Appellate Prosecutors County Fund and two-thirds from the General Revenue Fund, provided that such funding receives county approval and support from within the respective Judicial Districts eligible to apply; and,

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor shall administer the operation of the appellate offices so as to insure that all participating State's Attorneys continue to have final authority in preparation, filing, and arguing of all appellate briefs and any trial assistance; and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor and the Illinois General Assembly have reviewed and approved a budget for Fiscal Year 2006, which funds will provide for the continued operation of the Office of the State's Attorneys Appellate Prosecutor.

NOW THEREFORE Be IT RESOLVED that the Clinton County Board, in regular session, this 20st of November, 2006, does hereby support the continued operation of the Office of the State's Attorneys Appellate Prosecutor, and designates the Office of the State's Attorneys Appellate Prosecutor as its Agent to administer the operation of the appellate offices and process said appellate court cases for this County.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor are hereby authorized to act as Assistant State's Attorneys on behalf of the State's Attorneys of this county in the appeal of all cases, when requested to do so by the State's Attorney, and with the advice and consent of the State's Attorney prepare, file, and argue appellate briefs for those cases; and also, as may be requested by the State's Attorney, to assist in the prosecution of cases under the Illinois Controlled Substances Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act and the Narcotics Profit Forfeiture Act. Such attorneys are further authorized to assist the State's Attorney in the State's Attorney's duties under the Illinois Public Labor Relations Act, including negotiations thereunder, as well as in the trial and appeal of tax objections.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor may also assist State's Attorneys in the discharge of their duties in the prosecution and trial of other cases, and may act as Special Prosecutor if duly appointed to do so by a court having jurisdiction.

BE IT FURTHER RESOLVED that the Clinton County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor for Fiscal Year 2007, commencing December 1, 2006 and ending November 30, 2007 by hereby appropriating the sum of \$11,000.00 for the express purpose of providing a portion of the funds required for financing the operation of the Office of the State's Attorneys Appellate Prosecutor and agrees to deliver the same to the Office of the State's Attorneys Appellate Prosecutor on request during the Fiscal Year 2006.

Passed and adopted by the County Board of Clinton County, Illinois this 20th day of November, 2006.

Attest: S/ Thomas LaCaze, County Clerk

S/ Ray Kloeckner, Board Chairman

ORDINANCE # 11-06-04

ORDINANCE AMENDING SECTION 1-8-5 OF THE ADMINISTRATION - BIDDING AND CONTRACT PROCEDURES OF THE CLINTON COUNTY CODE

WHEREAS, Public Act 93-157, effective January 1, 2004 increased the minimum purchase amount from \$10,000.00 to \$20,000.00 for which competitive bidding must be utilized by counties in Illinois;

WHEREAS, Section 1-9-5 of the Clinton County Code currently provides as follows:

1-8-05 BIDDING AND CONTRACT PROCEDURES.

(A) ...

- (B) **Formal Contract Procedure.** All work or other public improvement which is not to be paid for in whole or in part by special assessment or special taxation, and all purchases, orders or contracts for supplies, materials, equipment or contractual services, except as otherwise provided herein, when the estimated cost thereof shall exceed Ten Thousand Dollars (\$10,000.00), shall be purchased from the lowest responsible bidder, after due notice inviting bids.

WHEREFORE, BE IT RESOLVED, that Section 1-8-5 of the Clinton County Code be amended as follows:

1-8-5 BIDDING AND CONTRACT PROCEDURES.

(A) ...

- (C) **Formal Contract Procedure.** All work or other public improvement which is not to be paid for in whole or in part by special assessment or special taxation, and all purchases, orders, or contracts for supplies, materials, equipment or contractual services, except as otherwise provided herein, when the estimated cost thereof shall exceed **Twenty Thousand Dollars \$20,000.00** (not Ten Thousand Dollars), shall be purchased from the lowest responsible bidder, after due notice inviting bids.

ROLL CALL to approve: Yes - Hitpas, Robbins, Heiligenstein, Pingsterhaus, Jack Taylor, Raymond, Fix, Holtgrave, Foppe, Sullivan, Craig Taylor, Beckmann, and Lampe. Absent - Murray

ADOPTED, ORDAINED AND APPROVED November 20, 2006, by a voice/roll call vote of the Corporate Authorities of the County of Clinton, Illinois.

ATTEST:

S/ Thomas LaCaze, County Clerk

S/ Ray Kloeckner, Chairman

ORDINANCE #11-06-05

BE IT ORDAINED BY THE COUNTY OF CLINTON, ILLINOIS, AS FOLLOWS:

Pursuant to Article 40-3-2 of the Clinton County Zoning Code, as amended, the following described real estate shall be re-zoned from Agricultural (A) to Commercial (C);

A part of the Northwest Quarter of the Southwest Quarter of Section 15, Township 2 North, Range 5 West of the Third Principal Meridian, Clinton County, Illinois, being more particularly described as follows:

Beginning at the intersection of the east right-of-way line of Crackerneck Road and the north right-of-way line of F.A. Route 409, thence northerly along said east right-of-way line having an assumed bearing of N. 06degrees-44'-38" W. 353.16 feet; thence S 89 degrees -01'-19" E. 1266.81feet to point on the east line of said Quarter Quarter, thence S. 01 degree-11'-56" E. 350.21 feet along said Quarter Quarter line to a point on said north right-of-way line; thence N. 89 degrees-01'-19" W. along said north right-of-way line 1232.66 feet to the point of beginning.

Containing 10 Acres, more or less.

Case No. 11-1-2006-1

Property location: Sugar Creek Township

Request for a Map Amendment (40-9-30) submitted by: Anthony Emig, 2809 Old US Hwy Rt 50, Trenton, Illinois, to re-zone from Agricultural (A) to Commercial (C). Property is owned by Anthony Emig, 2809 Old US Hwy 50, Trenton, IL 62293.

ADOPTED, ORDAINED AND APPROVED by a voice/roll call vote of the Corporate Authorities of the County of Clinton, Illinois, this 20th day of November, 2006.

ORDINANCE # 11-06-06

BE IT ORDAINED BY THE COUNTY OF CLINTON, ILLINOIS, AS FOLLOWS:

Pursuant to Article 40-3-2 of the Clinton County Zoning Code, as amended, the following described real estate shall be re-zoned from Agriculture (A) to Agricultural Residential (A-R);

Case No. 11-01-06-03

Property location: Lookingglass Township

Request for a Map Amendment (40-9-30) submitted by: Ken and Jan Mank, 3775 Haselhorst Road, New Baden, Illinois, 62265 to re-zone from Agricultural (A) to Agricultural/Residential (A-R).

Legal Description Part of the Southeast Quarter of the Southeast Quarter of Section 15, T1N, R5W of the 3rd Principal Meridian, Clinton County, Illinois, being more particularly described as follows:

Commencing at an iron pin marking the southwest corner of said Quarter Quarter; thence northerly along the west line of said Quarter Quarter having an assumed bearing of N.00 degrees-08'-56" W. 302.56 feet to an iron pin

marking the point of beginning; thence continuing N. 00 degree -08'-56" W. along said west line 390.73 feet; thence N. 88 degrees -41'-32" E. 399.08 feet; thence S. 00 degrees -08'-56" E. parallel with said west line 390.73 feet to an iron pin; thence S. 88 degrees -41'-32" W. 399.08 feet to the point of beginning.

Containing 3.58 Acres more or less.

Property is owned by Virgil and Delores Toennies, 7234 Winter Road, New Baden, IL 62265.

ADOPTED, ORDAINED AND APPROVED by a voice/roll call vote of the Corporate Authorities of the County of Clinton, Illinois, this 20th day of November, 2006.

Roll call vote: Yes - Hitpas, Robbins, Heiligenstein, Pingsterhaus, Jack Taylor, Raymond, Fix, Holtgrave, Foppe, Sullivan, Craig Taylor, Beckmann and Lampe. Absent - Murray.

APPROVED by the Corporate Authorities of the County of Clinton, Illinois, this 20th day of November, 2006.

ATTEST:

S/ Ray Kloeckner, Chairman

S/ Thomas LaCaze, County Clerk

RESOLUTION #11-07-07 SALARY OF COUNTY ENGINEER

WHEREAS, the salary of the County Engineer may be paid from the County's portion of Motor Fuel Tax Funds, and

WHEREAS, it is the desire of the Clinton County Board to pay the majority of the salary of the County Engineer from the motor Fuel Tax Allotment;

NOW, THEREFORE, BE IT RESOLVED that the sum of \$79,400 be hereby appropriated from the County's share of Motor Fuel Tax Funds for the payment of the salary of the County Engineer from January 1, 2006 to December 31, 2006.

BE IT FURTHER RESOLVED that the County Clerk is hereby requested to submit two (2) certified copies of this resolution to the Department of Transportation through its District Engineer at Collinsville, IL.

Given under my hand and seal this 20th day of November, 2006.

Seal

S/ Thomas LaCaze, County Clerk.

#11-06-08 COUNTY MAINTENANCE RESOLUTION

RESOLVED, by the County Board of Clinton County, that \$700,000.00 is appropriated from the Motor Fuel Tax Allotment for the maintenance on county or State highways and meeting the requirements of the IL Highway Code, and be it further

RESOLVED, that maintenance sections or patrols be maintained under the provision of said IL Highway Code beginning 1/1/07 and ending 12/31/07, and be it further

RESOLVED, that the County Engineer shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Carlyle in said County, this 20th day of November, 2006.

Seal

S/ Thomas LaCaze, County Clerk